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1 **TITLE II—MAGNET SCHOOLS**
2 **ASSISTANCE**

3 **SEC. 201. MAGNET SCHOOLS ASSISTANCE.**

4 Title V of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 7201 et seq.) is amended to read
6 a follows:

7 **“TITLE V—MAGNET SCHOOLS**
8 **ASSISTANCE**

9 **“SEC. 5101. FINDINGS.**

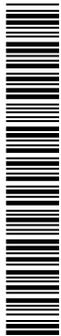
10 “The Congress finds that—

11 “(1) magnet schools are a significant part of
12 our Nation’s effort to achieve voluntary desegrega-
13 tion in our Nation’s schools;

14 “(2) the use of magnet schools has increased
15 dramatically since the date of enactment of the Mag-
16 net Schools Assistance program, with approximately
17 2,000,000 students nationwide now attending such
18 schools, of which more than 65 percent of the stu-
19 dents are nonwhite;

20 “(3) magnet schools offer a wide range of dis-
21 tinctive programs that have served as models for
22 school improvement efforts;

23 “(4) in administering the Magnet Schools As-
24 sistance program, the Federal Government has
25 learned that—



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1 “(A) where magnet programs are imple-
2 mented for only a portion of a school’s student
3 body, special efforts must be made to discour-
4 age the isolation of—

5 “(i) magnet school students from
6 other students in the school; and

7 “(ii) students by racial characteristics;

8 “(B) local educational agencies can maxi-
9 mize their effectiveness in achieving the pur-
10 poses of the Magnet Schools Assistance pro-
11 gram if such agencies have more flexibility in
12 the administration of such program in order to
13 serve students attending a school who are not
14 enrolled in the magnet school program;

15 “(C) local educational agencies must be
16 creative in designing magnet schools for stu-
17 dents at all academic levels, so that school dis-
18 tricts do not select only the highest achieving
19 students to attend the magnet schools;

20 “(D) consistent with desegregation guide-
21 lines, local educational agencies must seek to
22 enable participation in magnet school programs
23 by students who reside in the neighborhoods
24 where the programs operate; and



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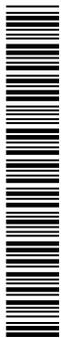
1 “(E) in order to ensure that magnet
 2 schools are sustained after Federal funding
 3 ends, the Federal Government must assist
 4 school districts to improve their capacity to con-
 5 tinue to operate magnet schools at a high level
 6 of performance; and

7 “(5) it is in the best interest of the Federal
 8 Government to—

9 “(A) continue the Federal Government’s
 10 support of school districts implementing court-
 11 ordered desegregation plans and school districts
 12 voluntarily seeking to foster meaningful inter-
 13 action among students of different racial and
 14 ethnic backgrounds, beginning at the earliest
 15 stage of such students’ education;

16 “(B) ensure that all students have equi-
 17 table access to quality education that will pre-
 18 pare such students to function well in a highly
 19 competitive economy;

20 “(C) maximize the ability of local edu-
 21 cational agencies to plan, develop, implement
 22 and continue effective and innovative magnet
 23 schools that contribute to State and local sys-
 24 temic reform; and



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1 “(D) ensure that grant recipients provide
2 adequate data which demonstrates an ability to
3 improve student achievement.

4 **“SEC. 5102. STATEMENT OF PURPOSE.**

5 “The purpose of this title is to assist in the desegre-
6 gation of schools served by local educational agencies by
7 providing financial assistance to eligible local educational
8 agencies for—

9 “(1) the elimination, reduction, or prevention of
10 minority group isolation in elementary and sec-
11 ondary schools with substantial proportions of mi-
12 nority students;

13 “(2) the development and implementation of
14 magnet school projects that will assist local edu-
15 cational agencies in achieving systemic reforms and
16 providing all students the opportunity to meet chal-
17 lenging State content standards and challenging
18 State student performance standards;

19 “(3) the development and design of innovative
20 educational methods and practices that promote di-
21 versity and increase choices in public elementary and
22 secondary schools and educational programs; and

23 “(4) courses of instruction within magnet
24 schools that will substantially strengthen the knowl-
25 edge of academic subjects and the grasp of tangible



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1 and marketable vocational and technical skills of
2 students attending such schools.

3 **“SEC. 5103. PROGRAM AUTHORIZED.**

4 “The Secretary, in accordance with this title, is au-
5 thorized to make grants to eligible local educational agen-
6 cies, and consortia of such agencies where appropriate, to
7 carry out the purpose of this title for magnet schools that
8 are—

9 “(1) part of an approved desegregation plan;
10 and

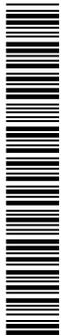
11 “(2) designed to bring students from different
12 social, economic, ethnic, and racial backgrounds to-
13 gether.

14 **“SEC. 5104. DEFINITION.**

15 “For the purpose of this title, the term ‘magnet
16 school’ means a public elementary or secondary school or
17 public elementary or secondary education center that of-
18 fers a special curriculum capable of attracting substantial
19 numbers of students of different racial backgrounds.

20 **“SEC. 5105. ELIGIBILITY.**

21 “A local educational agency, or consortium of such
22 agencies where appropriate, is eligible to receive assistance
23 under this title to carry out the purposes of this title if
24 such agency or consortium—



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1 “(1) is implementing a plan undertaken pursu-
2 ant to a final order issued by a court of the United
3 States, or a court of any State, or any other State
4 agency or official of competent jurisdiction, that re-
5 quires the desegregation of minority-group-seg-
6 regated children or faculty in the elementary and
7 secondary schools of such agency; or

8 “(2) without having been required to do so, has
9 adopted and is implementing, or will, if assistance is
10 made available to such local educational agency or
11 consortium of such agencies under this title, adopt
12 and implement a plan that has been approved by the
13 Secretary as adequate under title VI of the Civil
14 Rights Act of 1964 for the desegregation of minor-
15 ity-group-segregated children or faculty in such
16 schools.

17 **“SEC. 5106. APPLICATIONS AND REQUIREMENTS.**

18 “(a) APPLICATIONS.—An eligible local educational
19 agency or consortium of such agencies desiring to receive
20 assistance under this title shall submit an application to
21 the Secretary at such time, in such manner, and con-
22 taining such information and assurances as the Secretary
23 may reasonably require.

24 “(b) INFORMATION AND ASSURANCES.—Each such
25 application shall include—



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1 “(1) a description of—

2 “(A) how assistance made available under
3 this title will be used to promote desegregation,
4 including how the proposed magnet school
5 project will increase interaction among students
6 of different social, economic, ethnic, and racial
7 backgrounds;

8 “(B) the manner and extent to which the
9 magnet school project will increase student
10 achievement in the instructional area or areas
11 offered by the school;

12 “(C) how an applicant will continue the
13 magnet school project after assistance under
14 this title is no longer available, including, if ap-
15 plicable, an explanation of why magnet schools
16 established or supported by the applicant with
17 funds under this title cannot be continued with-
18 out the use of funds under this title;

19 “(D) how funds under this title will be
20 used to improve student academic performance
21 for all students attending the magnet schools;
22 and

23 “(E) the criteria to be used in selecting
24 students to attend the proposed magnet school
25 projects; and



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1 “(2) assurances that the applicant will—

2 “(A) use funds under this title for the pur-
3 poses specified in section 5102;

4 “(B) employ fully qualified teachers (as de-
5 fined in section 1119) in the courses of instruc-
6 tion assisted under this title;

7 “(C) not engage in discrimination based on
8 race, religion, color, national origin, sex, or dis-
9 ability in—

10 “(i) the hiring, promotion, or assign-
11 ment of employees of the agency or other
12 personnel for whom the agency has any ad-
13 ministrative responsibility;

14 “(ii) the assignment of students to
15 schools, or to courses of instruction within
16 the school, of such agency, except to carry
17 out the approved plan; and

18 “(iii) designing or operating extra-
19 curricular activities for students;

20 “(D) carry out a high-quality education
21 program that will encourage greater parental
22 decisionmaking and involvement; and

23 “(E) give students residing in the local at-
24 tendance area of the proposed magnet school



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1 projects equitable consideration for placement
2 in those projects.

3 **“SEC. 5107. PRIORITY.**

4 “In approving applications under this title, the Sec-
5 retary shall give priority to applicants that—

6 “(1) demonstrate the greatest need for assist-
7 ance, based on the expense or difficulty of effectively
8 carrying out an approved desegregation plan and the
9 projects for which assistance is sought;

10 “(2) propose to carry out new magnet school
11 projects, or significantly revise existing magnet
12 school projects; and

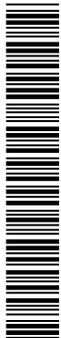
13 “(3) propose to select students to attend mag-
14 net school projects by methods such as lottery, rath-
15 er than through academic examination.

16 **“SEC. 5108. USE OF FUNDS.**

17 “(a) IN GENERAL.—Grant funds made available
18 under this title may be used by an eligible local edu-
19 cational agency or consortium of such agencies—

20 “(1) for planning and promotional activities di-
21 rectly related to the development, expansion, con-
22 tinuation, or enhancement of academic programs
23 and services offered at magnet schools;

24 “(2) for the acquisition of books, materials, and
25 equipment, including computers and the mainte-



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1 nance and operation thereof, necessary for the con-
2 duct of programs in magnet schools;

3 “(3) for the payment, or subsidization of the
4 compensation, of elementary and secondary school
5 teachers who are fully qualified (as defined in sec-
6 tion 1119), and instructional staff where applicable,
7 who are necessary for the conduct of programs in
8 magnet schools;

9 “(4) with respect to a magnet school program
10 offered to less than the entire student population of
11 a school, for instructional activities that—

12 “(A) are designed to make available the
13 special curriculum that is offered by the magnet
14 school project to students who are enrolled in
15 the school but who are not enrolled in the mag-
16 net school program; and

17 “(B) further the purposes of this title; and

18 “(5) for activities, which may include profes-
19 sional development, that will build the recipient’s ca-
20 pacity to operate magnet school programs once the
21 grant period has ended.

22 “(b) SPECIAL RULE.—Grant funds under this title
23 may be used in accordance with paragraphs (2) and (3)
24 of subsection (a) only if the activities described in such
25 paragraphs are directly related to improving the students’



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1 academic performance based on the State's challenging
2 content standards and challenging student performance
3 standards.

4 **“SEC. 5109. PROHIBITIONS.**

5 “(a) TRANSPORTATION.—Grants under this title may
6 not be used for transportation or any activity that does
7 not augment academic improvement.

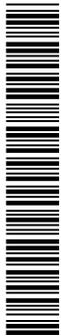
8 “(b) PLANNING.—A local educational agency shall
9 not expend funds under this title after the third year that
10 such agency receives funds under this title for such
11 project.

12 **“SEC. 5110. LIMITATIONS.**

13 “(a) DURATION OF AWARDS.—A grant under this
14 title shall be awarded for a period that shall not exceed
15 three fiscal years.

16 “(b) LIMITATION ON PLANNING FUNDS.—A local
17 educational agency may expend for planning not more
18 than 50 percent of the funds received under this title for
19 the first year of the project, 15 percent of such funds for
20 the second such year, and 10 percent of such funds for
21 the third such year.

22 “(c) AMOUNT.—No local educational agency or con-
23 sortium awarded a grant under this title shall receive more
24 than \$4,000,000 under this title in any one fiscal year.



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1 “(d) TIMING.—To the extent practicable, the Sec-
2 retary shall award grants for any fiscal year under this
3 title not later than July 1 of the applicable fiscal year.

4 **“SEC. 5111. EVALUATIONS.**

5 “(a) RESERVATION.—The Secretary may reserve not
6 more than two percent of the funds appropriated under
7 section 5112(a) for any fiscal year to carry out evalua-
8 tions, technical assistance, and dissemination projects with
9 respect to magnet school projects and programs assisted
10 under this title.

11 “(b) CONTENTS.—Each evaluation described in sub-
12 section (a), at a minimum, shall address—

13 “(1) how and the extent to which magnet school
14 programs lead to educational quality and improve-
15 ment;

16 “(2) the extent to which magnet school pro-
17 grams enhance student access to quality education;

18 “(3) the extent to which magnet school pro-
19 grams lead to the elimination, reduction, or preven-
20 tion of minority group isolation in elementary and
21 secondary schools with substantial proportions of mi-
22 nority students; and

23 “(4) the extent to which magnet school pro-
24 grams differ from other school programs in terms of



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1 the organizational characteristics and resource allo-
2 cations of such magnet school programs.

3 **“SEC. 5112. AUTHORIZATION OF APPROPRIATIONS; RES-**
4 **ERVATION.**

5 “(a) AUTHORIZATION.—For the purpose of carrying
6 out this title, there are authorized to be appropriated
7 \$120,000,000 for fiscal year 2000 and such sums as may
8 be necessary for each of fiscal years 2001 through 2004.

9 “(b) AVAILABILITY OF FUNDS FOR GRANTS TO
10 AGENCIES NOT PREVIOUSLY ASSISTED.—In any fiscal
11 year for which the amount appropriated pursuant to sub-
12 section (a) exceeds \$75,000,000, the Secretary shall give
13 priority to using such amounts in excess of \$75,000,000
14 to award grants to local educational agencies or consortia
15 of such agencies that did not receive a grant under this
16 title in the preceding fiscal year.”.

17 **SEC. 202. CONTINUATION OF AWARDS.**

18 Notwithstanding the amendment made by section
19 401, any local educational agency or consortium of such
20 agencies that was awarded a grant under section 5111 of
21 the Elementary and Secondary Education Act of 1965 (20
22 U.S.C. 7211) prior to the date of the enactment of this
23 Act shall continue to receive funds in accordance with the
24 terms of such award until the date on which the award
25 period terminates under such terms.

